

APPEAL NO. 032236
FILED OCTOBER 7, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on July 22, 2003. The hearing officer resolved the disputed issues by deciding that the appellant's (claimant) compensable injury of _____, does not include the lumbar spine, thoracic spine, or right hip, and that the claimant had disability as a result of the injury of _____, from February 12 through April 7, 2003, but not from April 8, 2003, to the date of the CCH on July 22, 2003. The claimant appeals, contending that the evidence established that her compensable injury includes her lumbar spine, thoracic spine, and right hip, and that she had disability from February 12, 2003, through the date of the CCH. The claimant also asserts that the hearing officer's determinations on the appealed issues are against the great weight of the evidence. The respondent (carrier) asserts that the evidence supports the hearing officer's decision and requests affirmance.

DECISION

Affirmed.

The claimant had the burden to prove the extent of her compensable injury and that she had disability as defined by Section 401.011(16). Conflicting evidence was presented on the disputed issues. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. Although there is conflicting evidence in this case on the disputed issues of the extent of the compensable injury and disability, we conclude that the hearing officer's decision is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **LIBERTY MUTUAL FIRE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEMS
350 NORTH ST. PAUL, SUITE 2900
DALLAS, TEXAS 75201.**

Robert W. Potts
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Margaret L. Turner
Appeals Judge